



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

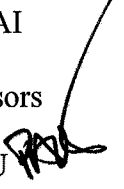
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RICHARD D. WEISS
Acting County Counsel

July 23, 2014

TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

FROM: PATRICK A. WU 
Senior Assistant County Counsel

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Claim of Craig and Sandy Uyesugi

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary, the Summary Corrective Action Plan, and the Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, the Summary Corrective Action Plan, and the Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:cs

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Claim of Craig and Sandy Uyesugi, in the amount of \$300,000, and instruct the Acting Auditor-Controller to draw a warrant to implement the settlement from the Department of Public Works' budget.

This claim seeks compensation from the Department of Public Works for real and personal property damages allegedly caused from a backflow of sewage due to a sewer main line blockage.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-litigated claim of Craig and Sandy Uyesugi
CASE NUMBER	N/A
COURT	N/A
DATE FILED	November 7, 2012
COUNTY DEPARTMENT	Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 300,000.00
ATTORNEY FOR PLAINTIFF	Sassoon Sales
COUNTY COUNSEL ATTORNEY	Jessie Lee
NATURE OF CASE	This non-litigated claim arises from a blocked County main sewer line that caused a sewage backflow into claimants' home and damaged the structure and personal property. Due to the risks and uncertainties of litigation, a full settlement of the claim is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 0
PAID COSTS, TO DATE	\$ 0



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	November 6, 2012
Briefly provide a description of the incident/event:	<p>On November 6, 2012, a sewage backup occurred at 4731 Rockbluff Drive in the unincorporated area of Rolling Hills Estates. The effluent overflowed into various rooms of the residence and caused damage to the interior and the homeowner's personal property. It is alleged that the overflow was caused by a tree-root blockage in the sewer mainline.</p> <p>Sewer Maintenance Division (SMD) responded to a service request concerning a sewage flood out at the residence. The SMD crew proceeded to rod the sewer mainline between Manhole Nos. 267 and 268 to break down a root blockage.</p> <p>Carl Warren & Company was contacted to initiate remediation under the Rapid Response Program.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

The property damage was caused by a sewer mainline root blockage in conjunction with the homeowner's failure to install and maintain a backwater valve, which would be required under the current Building and Plumbing Codes. It appears that the absence or failure of the backwater valve allowed sewage from the blocked sewer mainline to flow into the residence.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)


As a condition of settlement, the homeowner has agreed to install a code compliant backwater valve.

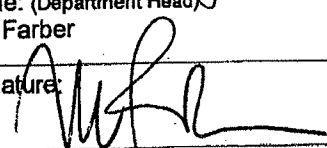
As a precautionary measure, the sewer mainline was also placed on a 90-day cleaning and 18-month root foaming schedule to prevent future blockages and will remain on this schedule until it is no longer necessary as determined by maintenance personnel. The sewer manholes will also continue to be inspected semi-annually as part of SMD's Preventive Maintenance Program.

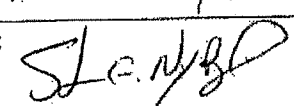
County of Los Angeles
Summary Corrective Action Plan

3. Are the corrective actions addressing department-wide system issues?

- ☐ Yes - The corrective actions address department-wide system issues.
☒ No - The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator) Michael J. Hays	
Signature: 	Date: 7/10/14

Name: (Department Head) Gail Farber	
Signature: 	Date: 7/10/14

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability. <input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) Steven E. Nyblom	
Signature: 	Date: 7-10-14

MM:psr
P4:UYESUGI SCAP (2) REV

Uyesugi, Craig



Corrective Action Plan

1. General Information

Department:	Department of Public Works
Date CAP document prepared:	August 1, 2013
Name of departmental contact person:	Massood Eftekhari
• Title:	Deputy Director
• Phone number:	(626) 458-4016
• E-mail Address:	MEFTEKHARI@dpw.lacounty.gov

2. Incident/Event Specific Information

Date of incident/event:	November 6, 2012
Location of incident/event:	4731 Rockbluff Drive
Event contact person:	Robert Swartz
• Phone Number:	(626) 300-3367
• E-mail Address:	RSWARTZ@dpw.lacounty.gov
Claim adjuster: (Third Party Administrator or County Counsel)	Brett Barnes
• Phone number:	(818) 247-2206 Extension 6761
If claim is in litigation, please complete the following:	
County Counsel Attorney:	Brian Chu
• Phone number:	(714) 448-9567

3. Incident/Event Description:

Nature of incident/event:	Sewer backup and flooding
Provide a brief description of the incident/event:	On November 6, 2012, a sewage backup occurred at 4731 Rockbluff Drive in the unincorporated area of Rolling Hills Estates. The effluent overflowed into various rooms of the residence and caused damage to the interior and homeowner's personal property. The homeowner alleges that the overflow was caused by a tree-root blockage in the sewer mainline.

- ☐ Included a copy of the supervisor's first report of incident (or related accident, event or incident investigation documentation).

4. Corrective Action Plan Problem Statement

Provide a written narrative of the incident/event problem statement:

Sewer Maintenance Division (SMD) received a service request concerning a sewage floodout at the subject residence. The responding SMD crew proceeded to clean the mainline between Manhole Nos. 267 and 268 to break down a root blockage.

The homeowner authorized Carl Warren & Company to remediate the property damage under the Rapid Response Program. Carl Warren & Company contacted ServPro of Fullerton to perform the cleanup services.

The sewer manholes along Rockbluff Drive had been inspected on June 28, 2012, as part of the Department's Preventative Maintenance Program. The inspection had determined that sewer flow conditions along Rockbluff Drive were normal.

5. Root Cause Analysis

Root Cause Analysis tool used:	The property damage was caused by a sewer mainline root blockage and the homeowner's failure to install and maintain a backwater valve, which would be required under current Building and Plumbing Codes.
Root Cause Analysis source material(s) used:	The mainline sewer blockage in conjunction with the absence or failure of the backwater valve allowed sewage to flow through the plumbing system into the residence.

- ☐ Included a copy of the Root Cause Analysis tool utilized (or related Root Cause analysis documentation).

Identify as many root causes as necessary. Select the root cause type that best describes the nature of the root cause description. You will reference each root cause by its letter when writing the Corrective Action Steps.

Root Cause A	
Root Cause Type:	<i>Only select one:</i> <input checked="checked" type="checkbox"/> Process/System <input type="checkbox"/> Personnel <input type="checkbox"/> Equipment <input type="checkbox"/> Property
Describe Root Cause:	The sewer mainline blockage in conjunction with the absence or failure of the backwater valve allowed sewage to flow into the residence located at 4731 Rockbluff Drive, Rolling Hills Estates

Root Cause B	
Root Cause Type:	<i>Only select one:</i> <input type="checkbox"/> Process/System <input type="checkbox"/> Personnel <input type="checkbox"/> Equipment <input type="checkbox"/> Property
Describe Root Cause:	

Root Cause C	
Root Cause Type:	<i>Only select one:</i> <input type="checkbox"/> Process/System <input type="checkbox"/> Personnel <input type="checkbox"/> Equipment <input type="checkbox"/> Property
Describe Root Cause:	

Root Cause D	
Root Cause Type:	<i>Only select one:</i> <input type="checkbox"/> Process/System <input type="checkbox"/> Personnel <input type="checkbox"/> Equipment <input type="checkbox"/> Property
Describe Root Cause:	

Root Cause E	
Root Cause Type:	<i>Only select one:</i> <input type="checkbox"/> Process/System <input type="checkbox"/> Personnel <input type="checkbox"/> Equipment <input type="checkbox"/> Property
Describe Root Cause:	

*If additional root causes are needed; cut and paste the above fields, as needed. If necessary, delete unused root cause fields.

6. Corrective Action Plan Steps

For each Corrective Action Plan step, please reference, by letter, the Root Cause(s) this Corrective Action Plan step is addressing.

Associated Root Cause reference letter(s):	A
Step number:	1
Step name:	Plumbing repair/modification/Enhanced Schedule Maintenance and Cleaning
Scheduled start date:	Scheduled by the homeowner/May 3, 2013
Scheduled completion date:	Scheduled by the homeowner/Until it is no longer deemed necessary by maintenance personnel
Responsible person:	Craig Uyesugi/Robert Swartz

Step description:	As a condition of settlement, the homeowner has agreed to install a code compliant backwater valve on his sewer lateral. In addition, the segment of the sewer mainline along Rockbluff Drive was placed on a 90-day cleaning and 18-month root foaming schedule to prevent future root blockages. This enhanced maintenance schedule shall continue as long as deemed necessary by maintenance personnel. The manholes along this segment of the sewer mainline will continue to be inspected on a semiannual inspection program.
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Associated Root Cause reference letter(s):	B
Step number:	1
Step name:	
Scheduled start date:	
Scheduled completion date:	
Responsible person:	
Step description:	

Associated Root Cause reference letter(s):	
Step number:	
Step name:	
Scheduled start date:	
Scheduled completion date:	
Responsible person:	
Step description:	

County of Los Angeles
Corrective Action Plan

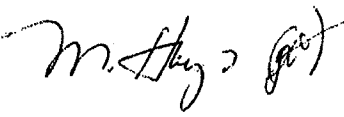
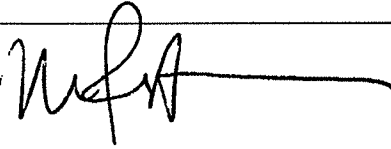
Associated Root Cause reference letter(s):	
Step number:	
Step name:	
Scheduled start date:	
Scheduled completion date:	
Responsible person:	
Step description:	

Associated Root Cause reference letter(s):	
Step number:	
Step name:	
Scheduled start date:	
Scheduled completion date:	
Responsible person:	
Step description:	

*If additional Step sheets are needed; cut and paste the above table, as needed. If necessary, delete unused Corrective Action Plan Step tables.

7. Review and Authorization

The department has reviewed the incident/event investigation, root cause analysis documentation, Corrective Action Plan, and has taken all appropriate corrective actions required.

Review and authorization steps	Signature	Date
Document reviewed by Department Risk Management Coordinator:		7/10/14
Document reviewed by Department head or designee.		7/10/14

RB:psr
P4:UYESUGI CAP2